

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)
)
)
Plaintiff,)
)
v.) Cause No. 4:23CR00209 SEP
)
)
STEVEN POPPLE,)
)
)
Defendant.)

SENTENCING MEMORANDUM AND REQUEST FOR DOWNWARD VARIANCE

COMES NOW Defendant STEVEN POPPLE, by and through his attorney, CHIMENE LASKLEY, Assistant Federal Public Defender, and submits the following memorandum requesting the Court follow the joint recommendation of 180 months imprisonment. Given Mr. Popple's history and characteristics—along with the need to reflect the seriousness of the offense and provide adequate deterrence to future criminal conduct—a sentence of 180 months is sufficient but not greater than necessary to serve the statutory purposes of sentencing.

Mr. Popple has a criminal history score of **Zero**, resulting in a criminal history category of I. (PSR, ¶ 39) Prior to the Instant Offense, his only conviction was a minor municipal charge for “no Driver’s license”, that conviction is more than 18 years old.

The probation office has identified factors that may warrant a variance in this case. Specifically, Mr. Popple, did not have a father figure during his upbringing. Certainly his father’s reported incarceration and involvement with the criminal justice system had an impact on the development of this all too important bond. Further, Mr. Popple has had to live with symptoms related to claustrophobia and social anxiety. He has also been diagnosed with Depression, ADHD and Epilepsy for which he has qualified and received disability payments (PSR ¶46).

Further, it is noted that Mr. Popple has NEVER served a period of incarceration. (PSR, ¶81)

Mr. Popple continues to have mental health needs that are ongoing.

Medical records suggest that Mr. Popple has endured symptoms related to epilepsy for a number of years, since at least 2014 (PSR, ¶46). His struggle with seizures has impacted his life in countless ways, because of this debilitating ailment he is unable to drive, has to be mindful of the dangers of tub bathing, being around open water, heights, holding fragile items, cooking on an open flame or on a hot stove. In the past, he's fallen down the stairs during a seizure, hitting his head. The catalyst for these seizures may have been his previous employment working as a bull rider and steer rider, this reported line of work, resulted in multiple head traumas with loss of consciousness from falling off of a bull. Unfortunately, Mr. Popple did not seek medical attention at the time of these falls.

His triggers have been identified as heat, playing video games, exhaustion, coughing after smoking a cigarette and flashing lights.

Since his diagnosis, Mr. Popple has endured any number of efforts to address his seizures, including numerous hospital visits and follow ups to those visits, several medications, he's also been observed for over 47 hours and even with all of these efforts, still to this day, he suffers at least one seizure every other month (PST ¶46)

Mr. Popple's first battle with health issues was at the age of 2 when, according to his mother, he was diagnosed with scarlet fever. Over the years, in addition to the seizures, he's had wrist surgery, leaving him with pain that he continues to feel upon occasion. (PSR, ¶46) He has also been diagnosed with chronic obstructive pulmonary disease and high blood pressure. He recently suffered an injury to his left tendon while being held in St. Genevieve County Jail

during the pendency of this case. (PSR ¶46) ***He continues to experience medical needs that are ongoing.***

Mr. Popple asks this court to also take into consideration his experiences involving riots, robberies and violence during his upbringing. (PSR ¶42)

Mr. Popple reports watching his father abuse marijuana and alcohol. He himself initially consumed marijuana at the age of 14; he would go on to consume marijuana daily. He began to use alcohol at the age of 19. (PSR ¶19). At the age of 24 he began to use cocaine, eventually using it at least once per week. A year later he would begin using methamphetamines His use of methamphetamine would eventually escalate to three to four times per week. (PSR, ¶49) **He has yet to receive treatment to address his use of substances. (PSR, ¶50)**

Mr. Popple attended high school through the 10th grade. (PSR ¶52) He never graduated from high school and does not have his GED. ***He continues to have an unmet need for education services.***

Mr. Popple continues to have a positive relationship with his mother and siblings which should provide him with the support he needs to be successful upon his release.

Given his background and characteristics, he respectfully requests this Court sentence him to the jointly recommended sentence of 180 months imprisonment.

Respectfully submitted,

/s/*Chimene Laskley*
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ATTORNEY FOR DEFENDANT

CERTIFICATE OF SERVICE

I hereby certify that on 11/6/2024, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the Office of the United States Attorney.

/s/ Chimene Y. Laskley
CHIMENE LASKLEY